

### **REMARKS**

The Applicants respectfully request the Examiner to reconsider the Present Patent Application in the light of the amendments contained in this First Amendment, and in the light of the arguments that follow.

#### **Objections**

On Page 2, Section 2 of the First Office Action, the Examiner objected to Claim 1 because Original Claim 1 recited the text “transforming said fibre channel frame an FCoE frame.” The Applicants have amended Line 4 of Claim 1 by adding the preposition “to” so this text now recites: “transforming said fibre channel frame to an FCoE frame.” The Applicants submit that the omission of the word “to” in Original Claim 1 was an inadvertent error. The Applicants believe that this correction overcomes this objection to Original Claim 1.

On Page 2, Section 3 of the First Office Action, the Examiner objected to Claim 1 because Original Claim 1 recited the text “receiving said fiber channel frame.” The Applicants have amended Claim 1 by changing “fiber” to “fibre” in Line 2. The Applicants believe that this correction overcomes this objection to Original Claim 1.

### **Rejection of Claim 1**

In Section 5, on Page 3 of the First Office Action, the Examiner rejected Pending Claim 1 under 35 U.S.C. Section 102(e) as being anticipated by U.S. Patent No. 7,307,995– Iyer et al.

The Applicants propose to amend Claim 1 by adding the new limitation “said FCoE frame including external data” in Line 5. Support for this new limitation is contained on Page 15 of the Original Application:

“Within a protocol architecture, most of the information is contained within the data frame and the various protocol headers and trailers. Some of the protocol information is external to the data frames. Examples of **external data** are the Start Of Frame characters 70, 82, the End Of Frame characters 80, 90 and Fibre Channel primitive signals and sequences. When information is external to the data frame and must be communicated over a non-native medium, such a Fibre Channel over Ethernet, a mechanism must exist to carry this **external data**.”

Original Application, Page 15, Lines 3-9, emphasis added.

The instructions for transporting this external information in the FCoE frame are described in the Original Application:

“Both gigabit Ethernet and Fibre Channel protocols use the same encoding mechanism, 8B/10B. While the same encoding mechanism is used, the method in which specific codes are used differs considerably. An example of this is how an SOF 70 and EOF 80 of a Fibre Channel frame are used and how an SOF 82 and EOF 90 of an Ethernet frame are used. In Ethernet, the SOF 82 character simply indicates the Start Of frame, while in Fibre Channel; the SOF 70 character indicates both the Start Of Frame and the frame class. Specifically, the SOF character 70 and the EOF character 80 vary depending upon the data contained within the Fibre Channel frame 71. The SOF character 70 is encoded into the SOF field 124 of the FCoE Transport header 123 of the FCoE frame 93. The EOF character 80 is encoded into the EOF field 126 of the FCoE Transport header 123 of the FCoE frame 93.”

Original Application, Page 17, Lines 21-27 and Page 18, Lines 1-4.

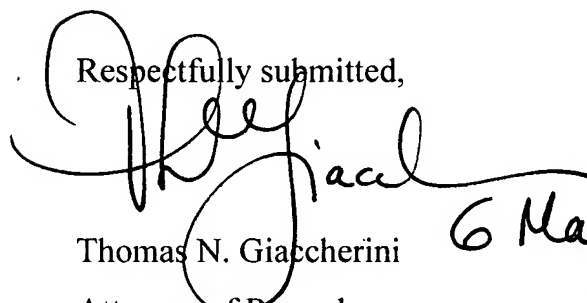
The Applicants respectfully submit that none of this teaching is found in U.S. Patent 7,307,995–Iyer et al. The Applicants believe that Amended Claim 1 is patentable over Iyer.

First Amendment for  
USSN 10/689,540  
6 May 2008  
Page 8

### CONCLUSION

The Applicants respectfully submit that all of the amendments presented in this First Amendment are fully supported by the Original Specification, and that no new matter has been introduced into Amended Claim 1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T. Giaccherini", written over the typed name.

6 May 2008.

Thomas N. Giaccherini  
Attorney of Record

Registration No. 31,075

831.659.5300

techlaw@ix.netcom.com

Transmitted to the U.S. Patent Office  
with a Rule 8 Certificate by First Class Mail  
on Tuesday 6 May 2008.